



# CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

## AGENDA

### Planning and Zoning Commission Regular Meeting\* Tuesday, May 7, 2019, at 5:30 P.M. City Hall Meeting Room 201 E. Walnut

#### Call to Order

**ITEM 1:** Consider and take appropriate action regarding approval of the Planning and Zoning Commission Meeting Minutes from April 2, 2019.

#### Non-Public Hearing Items:

**ITEM 2:** **V2019-30** Commission to hear comments and consider taking action to make a recommendation to City Council regarding Variance Application 2019-30—Mr. Danny Neighbors and Mr. Zachary Hale's request for a variance from Chapter 2, Section 201, Street Improvements (curb/gutter) of the City of Decatur's Design Standards on approximately 489 linear feet of Property located along Decatur Country Club Rd., where adjacent to the south boundary of proposed Lot 1, Block 1, Birdwell Subdivision, and more commonly referred to as 141 Decatur Country Club Rd., Decatur, Texas. Property is located in the ETJ. A complete legal description of the subject property is found on the plat exhibit located in the staff report.

**ITEM 3:** **V2019-31** Commission to hear comments and consider taking action to make a recommendation to City Council regarding Variance Application 2019-31—Mr. Danny Neighbors and Mr. Zachary Hale's request for a variance from Chapter 1, Section 106, Sidewalks of the City of Decatur's Design Standards on approximately 489 linear feet of Property located along Decatur Country Club Rd., where adjacent to the south boundary of proposed Lot 1, Block 1, Birdwell Subdivision, and more commonly referred to as 141 Decatur Country Club Rd., Decatur, Texas. Property is located in the ETJ. A complete legal description of the subject property is found on the plat exhibit located in the staff report.

**ITEM 4:** **V2019-32** Commission to hear comments and consider taking action to make a recommendation to City Council regarding Variance Application 2019-32—Mr. Danny Neighbors and Mr. Zachary Hale's request for a variance from Article 3, "Preliminary Plat," Section 3.07 "Drainage" of the Wise County's Development Rules and Regulations. Specifically, applicant is requesting a variance from the requirement for an engineered drainage study for property being preliminary platted in Decatur's extraterritorial jurisdiction (ETJ). The property is being proposed to be platted as Lots 1 and 2, Block 1, Birdwell Subdivision, and more commonly referred to as 128 N. FM 730 and 141 Decatur Country Club Rd., Decatur, Texas.

**ITEM 5:** **CONSENT AGENDA** – All consent agenda items listed are considered to be routine by the Planning and Zoning Commission and will be recommended in one motion. There will be no separate discussion of these items unless a P&Z Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. PP2018-06** Commission to consider taking action to make a recommendation to City Council regarding Preliminary Plat Application 2018-06—Mr. Danny Neighbors and Mr. Zachary Hale's request to

preliminary plat Lots 1 and 2, Block 1, Birdwell Subdivision, being a 4.73 acre tract in the George Birdwell Survey, Abstract Number 71, Wise County, Texas. The property is more commonly referred to as 128 N. FM 730 and 141 Decatur Country Club Rd. A complete legal description of the property is located on the plat exhibit found in the staff report. Property is located in the ETJ.

- B. FP2018-09** Commission to consider taking action to make a recommendation to City Council regarding Final Plat Application 2018-09—Mr. Danny Neighbors and Mr. Zachary Hale’s request to final plat Lots 1 and 2, Block 1, Birdwell Subdivision, being a 4.73-acre tract in the George Birdwell Survey, Abstract Number 71, Wise County, Texas. The property is more commonly referred to as 128 N. FM 730 and 141 Decatur Country Club Rd. A complete legal description of the property is located on the plat exhibit found in the staff report. Property is located in the ETJ.
- C. PP2019-02** Commission to consider taking action to make a recommendation to City Council regarding Preliminary Plat Application 2019-02—Saritha Dodla’s request, on behalf of Stone and Moon Realty Decatur, LLC, to preliminary plat Lot 1, Block 1, 380 Medical Park, being a 1.977-acre tract in the J.B. Williams Survey, Abstract Number 880, Wise County, Texas and is more commonly referred to as 1400 W. US Hwy 380 Business. A complete legal description of the property is located on the plat exhibit found in the staff report.
- D. FP2019-02** Commission to consider taking action to make a recommendation to City Council regarding Final Plat Application 2019-02—Saritha Dodla’s request, on behalf of Stone and Moon Realty Decatur, LLC, to final plat Lot 1, Block 1, 380 Medical Park, being a 1.977-acre tract in the J.B. Williams Survey, Abstract Number 880, Wise County, Texas and is more commonly referred to as 1400 W. US Hwy 380 Business. A complete legal description of the property is located on the plat exhibit found in the staff report.

**Public Hearing Items:**

**ITEM 6:** **RP2019-03** Commission to hear comments and consider taking action to make a recommendation to City Council regarding Replat Application 2019-03—Mr. and Mrs. Gordon King’s request to final plat Lot 1R-1, Block 88, South Decatur Addition, being approximately 0.239 acres of land and a replat of part of Lot 1, Block 88, South Decatur Addition, to the City of Decatur, Wise County, Texas and more commonly referred to as 101 W. Park St., Decatur, Texas. A complete legal description of the property is found on the plat exhibit located in the staff report.

**ITEM 7:** **ZC2019-01** Commission to hear comments and consider taking action to make a recommendation to City Council regarding an amendment to Appendix “B,” “Zoning” of the Code of Ordinances of the City of Decatur, Texas to grant a zoning change and to amend the zoning map from SF-2, Single Family Residential Zoning District to 2F, Two-Family Zoning District for an approximate 0.431 acre tract of land and for an approximate 0.014 acres to the centerline of Henry Street (an unopened R.O.W.) where adjacent to the 0.431 acre tract. The property is legally described as Lot 1-R, Block 4, S.L. Terrell’s Addition and is more commonly referred to as 305 E. Vernon Street, Decatur, Texas. (**Application ZC2019-01—Mr. Larry Henry’s request.**) **(ON MARCH 5, 2019, THE PLANNING AND ZONING COMMISSION RECOMMENDED APPROVAL 3-1, COMMISSIONER LANIER**

**OPPOSED AND VICE CHAIRMAN CRESWELL AND COMMISSIONER ALLEN ABSENT. MOTION TO APPROVE FAILED TO RECEIVE A MAJORITY VOTE; THEREFORE, IT FAILED AND THE RECOMMENDATION FOR THE APPLICATION IS DENIAL. PER SECTION 4.4.7.E. OF THE ZONING ORDINANCE, A VOTE OF THREE-FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED TO OVERRULE A RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION THAT A PROPOSED CHANGE TO A REGULATION OR BOUNDARY BE DENIED. ADDITIONALLY, ON MARCH 15, 2019, OPPOSITION TO THIS APPLICATION REACHED 21.45%. PER SECTION 4.4.7.D. OF THE ZONING ORDINANCE, A FAVORABLE VOTE OF THREE-FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED. ON APRIL 8, 2019, CITY COUNCIL REMANDED APPLICATION TO THE PLANNING AND ZONING COMMISSION DUE TO APPLICATION FAILING TO OBTAIN A MAJORITY VOTE BY PLANNING & ZONING ON MARCH 5, 2019.)**

**ITEM 8:** **ZC2019-02** Commission to hear comments and consider taking action to make a recommendation to City Council regarding an amendment to Appendix “B,” “Zoning” of the Code of Ordinances of the City of Decatur, Texas amending Article 6, “Use Chart,” Table 7 to allow Light Manufacturing uses with a Specific Use Permit, in the C-1A, Decatur Square Business District. (**Application ZC2019-02**—Mr. Matt Fisher’s request.)

**For Your Information Items:**

**ITEM 9:** New and/or future business items:

- a. June 2019 meeting currently has fourteen (14) Planning applications:
  - 1. PP2018-07 – Old Reunion Addition (Preliminary Plat in ETJ)
  - 2. FP2018-10 – Old Reunion Addition (Final Plat in ETJ)
  - 3. VARIANCE – Old Reunion Addition (Curb & Gutter in ETJ)
  - 4. VARIANCE – Old Reunion Addition (Sidewalk in ETJ)
  - 5. VARIANCE – Old Reunion Addition (Lot Frontage in ETJ)
  - 6. PP2018-09 – Cedar Oaks Country Estates (Preliminary Plat in ETJ)
  - 7. FP2018-12 – Cedar Oaks Country Estates (Final Plat in ETJ)
  - 8. VARIANCE – Cedar Oaks Country Estates (Drainage Study in ETJ)
  - 9. SUP2019-01 – AT&T Monopole Tower in C-2, Thoroughfare Business Zoning District
  - 10. SUP2019-02 – Trinity Street Coffee Bar to allow Coffee Roasting (Manufacturing) in a C1-A Decatur Square Zoning District
  - 11. RP2019-02 – 2706 S FM 51 (Commercial Replat)
  - 12. RP2019-06 – 1502 Shady Lane (Residential Replat)
  - 13. V2019-33 – 1502 Shady Lane (Sidewalk – Shady Lane)
  - 14. RP2018-20 – Wise County Antique Auto Club and City of Decatur
- b. July 2019 meeting currently has seven (7) Planning applications. The deadline for submittal is May 23, 2019.
  - 1. V2019-25 – 403 S. Lane St. (Curb & Gutter – Ward St.)
  - 2. V2019-26 – 403 S. Lane St. (Curb & Gutter – Brady St.)
  - 3. V2019-27 – 403 S. Lane St. (Sidewalk – Lane St.)
  - 4. V2019-28 – 403 S. Lane St. (Sidewalk – Ward St.)
  - 5. V2019-29 – 403 S. Lane St. (Sidewalk – Brady St.)
  - 6. RP2019-04 – 403 S. Lane St. (Residential Replat)
  - 7. RP2019-05 – 301 & 303 W. Main St. (Commercial Replat)

**Adjournment:**

Prepared and posted this the 3<sup>rd</sup> day of May, 2019, in accordance with Chapter 551, Texas Government Code.

Dedra Denée Ragland, AICP  
Planning and Development Director